

FORM PTO-1449 (Modified)
(REV. 7-80)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

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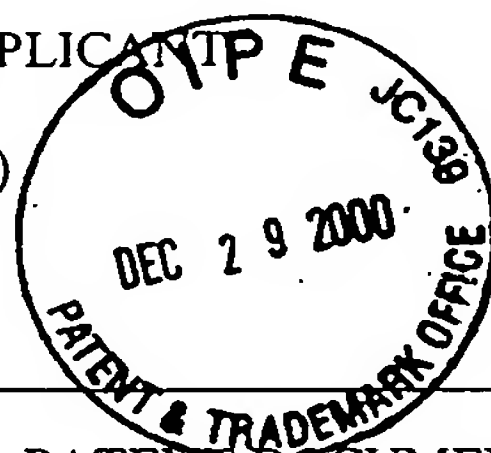
APPLICATION NO.

ST94037A

09/405,920

LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)



APPLICANT

Serge CARILLO et al.

FILING DATE

September 24, 1999

GROUP

1632

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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
Div 6	WO 00/ 2 1 5 7 5	4/20/00	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

Div 6	Anderson, W. French, Nature Medicine, Vol. 6, No. 8, p. 862 (August 2000)

EXAMINER

3/21/01

DATE CONSIDERED

3/21/01

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Notice of References Cited	Application/Control No. 09/405,920	Applicant(s)/Patent Under Reexamination CARILLO ET AL.	
	Examiner Anne M Beckerleg	Art Unit 1632	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification	
	A	US- -				
	B	US- -				
	C	US- -				
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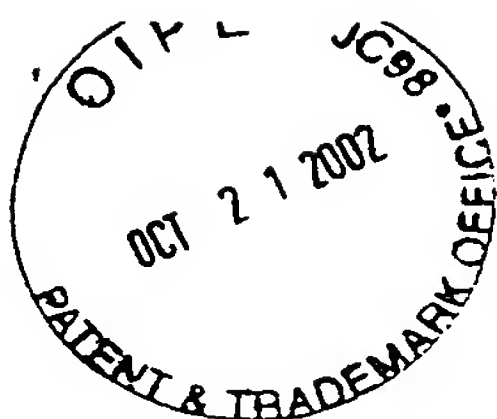
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	Q	- -					
	R	- -					
	S	- -					
	T	- -					

NON-PATENT DOCUMENTS

*		Include as applicable; Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Marshall; Gene Therapy 's Growing Pains, 1995, Science, Vol. 269: 1050-1055.
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	09/405,920
		Filing Date	September 24, 1999
		First Named Inventor	Serge CARILLO et al.
		Art Unit	1632
		Examiner Name	A. Beckerleg
		Attorney Docket Number	ST94037
Sheet	1	of	2

U.S. PATENT DOCUMENTS					
Examiner Initials ¹	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	B1	US-			
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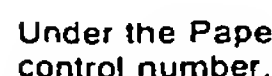
FOREIGN PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	09/405,920
				Filing Date	September 24, 1999
				First Named Inventor	Serge CARILLO et al.
				Group Art Unit	1632
				Examiner Name	A. Beckerleg
				Attorney Docket Number	ST94037A
Sheet	2	of	2		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T2
ALP		Wagenknecht et al., "Proteasome Inhibitors Induce p53/p21-Independent Apoptosis in Human Glioma Cells", Cell Physiol Biochem 1999; 9:117-125	
		An et al., "Protease inhibitor-induced apoptosis: accumulation of wt p53, p51 WAF1/CIP1, and induction of apoptosis are independent markers of proteasome inhibitor", Leukemia (2000) 14; 1276-1283	
		Kubbutat et al., "Proteolytic Cleavage of Human p53 by Calpain: a Potential Regulator of Protein Stability", Molecular and Cellular Biology, Jan. 1997; pp. 460-468	
		Kubbutat and Vousden, "Keeping an old friend under control: regulation of p53 stability", Molecular Medicine Today, June 1998; pp. 250-256	
		Atencio et al., "Caspain Inhibitor 1 Activates p53-dependent Apoptosis in Tumor Cell Lines", Cell Growth & Differentiation, May 2000; Vol. 11, 247-253	
		Pariat, et al., "Proteolysis by Calpains: a Possible Contribution to Degradation of p53", Molecular and Cellular Biology, May 1997; Vol. 17 No. 5, pp. 2806-2815	
		Carafoli, et al., "Breakthroughs and Views Calpain: A Protease in Search of a Function?", Biochemical and Biophysical Research Communications 247, 193-203 (1998)	

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Notice of References CitedApplication No.
09/405,920Applicant(s)
Carillo et al.Examiner
Gai (Jennifer) Mi LeeGroup Art Unit
1632

Page 1 of 3

U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	5,629,165	5/1997	Nixon et al.	435	7.21
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NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U	Asada et al., "cDNA cloning of human calpastatin: sequence homology among human, pig, and rabbit calpastatins." J. Enzym. Inhib., Vol. 3 (1): 49-56.	1989
V	Bischoff et al., "An adenovirus mutant that replicates selectively in p53-deficient human tumor cells." Science, Vol. 274 : 373-376.	10/1996
W	Miller et al., "Targeted vectors for gene therapy." FASEB, Vol. 9: 190-199.	2/1995
X	Crystal, RG., "Transfer of Genes to Humans: Early lessons and obstacles to success." Science, Vol. 270: 404-410.	1995

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Application No.
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1632

Page 2 of 3

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NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U	Dach et al., "Targeting gene therapy to cancer: a review." Oncology Res., Vol. 9: 313-325.	1997
V	Verma et al., "Gene therapy- promises, problems and prospects." Nature, Vol. 389: 239-242.	9/1997
W	Deonarain, MP., "Ligand-targeted receptor-mediated vectors for gene delivery." Exp. Opin. Ther. Patents, Vol. 8 (1): 53-69.	1998
X	Eck et al., "Gene-based therapy." Goodman & Gilman's The Pharmacological Basis of Therapeutics, McGraw-Hill-Ninth Edition: 77-101.	1996

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Page 3 of 3

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NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U	Orkin et al., "Report and recommendations of the panel to assess the NIH investment in research on gene therapy." Pages 1-20.	12/1995
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1449A/PTO				U.S. Department of Commerce Patent and Trademark Office		Complete if Known	
LIST OF PRIOR ART CITED BY APPLICANT <i>(use as many sheets as necessary)</i>						Application Number	09/405,920
						Filing Date	September 24, 1999
						First Named Inventor	Carillo et al.
						Group Art Unit	1614
						Examiner Name	
Sheet	1	of	2	Attorney Docket Number	ST94037 A-US		

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Foreign Patent Document								
Examiner Initials	Cite No.	Office	Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
	FA	EP	159 678		Sakurai et al.	10-30-1985		
	FB	EP	395 309		Asada et al.	10-31-1990		
	FC	WO	92/21373		Logothetou-Rella	12-10-1992		
	FD	WO	93/02106		Nixon et al.	02-04-1993		
	FE	EP	569,122		Omura et al.	11-10-1993		
	FF	EP	580 161		Saito et al.	01-26-1994		
	FG	WO	94/21817		Henkart et al.	09-29-1994		

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Unique citation designation number. See attached kinds of U.S. Patent Documents. Enter Office that issued the document, by the two letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.1 if possible. Applicant is to place a check mark here if English language Translation is attached.

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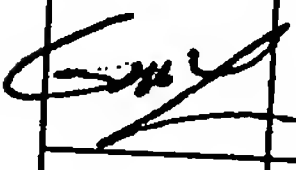
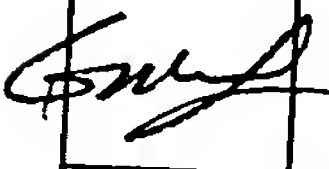





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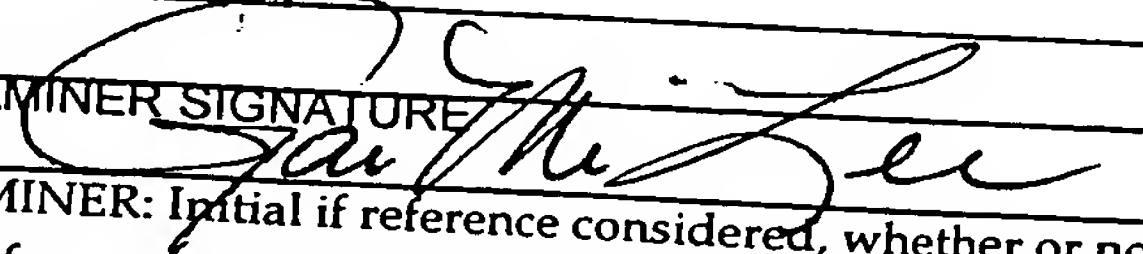
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Approved for use through 09/30/98, OMB 065
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

1449A/PTO		U.S. Department of Commerce Patent and Trademark Office		Complete if Known	
LIST OF PRIOR ART CITED BY APPLICANT (use as many sheets as necessary)				Application Number	09/405,920
				Filing Date	September 24, 1999
				First Named Inventor	Carillo et al.
				Group Art Unit	1614
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	ST94037 A-US

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, country, where published, source.
	PA	Levrero et al., Defective and Nondefective Adenovirus Vectors for Expressing Foreign Genes In Vitro and In Vivo, Gene, 101, 195-202, (1991)
	PB	Maki et al., Inhibition of Calpain by a Synthestic Oligopeptide Corresponding to an Exon of the Human Calpastatin Gene, Journal of Biol. Chemistry, 264, (32), 18866-18869, (1989)
	PC	Ohkoshi, Effect of Aprotinin On Growth Of 3-Methylcholanthrene-Induced Squamous Cell Carcinoma In Mice, Gann 71: 246-250 (1980)
	PD	Troll et al., Protease Inhibitors as Anticarcinogens, JNCL 73(6): 1245-1250 (1984)
	PE	Emori et al., All Four Repeating Domains of the Endogenous Inhibitor for Calcium-dependent Protease Independently Retain Inhibitory Activity, Journal of Biological Chemistry 263(5): 2364-2370 (1988)
	PF	Witschi et al., Modulation of lung tumor development in mice with the soybean-derived Bowman-Birk protease inhibitor, Carcinogenesis 10:2275-2277 (1989)
	PG	Orkin et al., Report & Recommendations Of The Panel To Assess The NIH Investment In Research On Gene Therapy, NIH (1995)
	PH	Carillo et al., Differential sensitivity of FOS and JUN family members to calpains, Oncogene 9, 1679-1689 (1994)

EXAMINER SIGNATURE 	DATE CONSIDERED 6/28/00
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP/609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Unique citation designation number. Applicant is to place a check mark here if English language Translation is attached.

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FORM PTO-892 (REV. 2-92)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO. 81737,953		GROUP/ART UNIT 1632		ATTACHMENT TO PAPER NUMBER 13						
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OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)														
	R	Orkin et al (1995) Report and Recommendations of the Panel To Assess the NIH Investment in Research on Gene Therapy												
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EXAMINER B. L. Campbell				DATE 7/16/98		1 of 1								
* A copy of this reference is not being furnished with this office action. (See Manual of Patent Examining Procedure, section 707.05 (a).)														

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PTO

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LIST OF PRIOR ART CITED BY
APPLICANT

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Application Number	08/737,953
Filing Date	27 November 1996
First Named Inventor	Carillo et al.
Group Art Unit	1819
Examiner Name	A. Razzaque
Attorney Docket Number	ST94073-US

Sheet 1 of 2

U.S. PATENT DOCUMENTS

Class / subclass

Examiner Initials	Cite No. ¹	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
RL	AA	4,788,219		Sakurai et al.	11-29-1988	514/523

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Office ³ Number ⁴	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
Bx	FA	EP	159 678	Sakurai et al.	10-30-1985		
	FB	EP	395 309	Asada et al.	10-31-1990		
	FC	WO	93/02106	Nixon et al.	02-04-1993		
	FD	EP	569 122	Omura et al.	11-10-1993		
	FE	EP	580 161	Saito et al.	01-26-1994		
	FF	WO	94/21817	Henkart et al.	09-29-1994		

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Application Number	08/737,953
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Examiner Name	A. Razzaue
Attorney Docket Number	ST94073-US

LIST OF PRIOR ART CITED BY
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OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, country, where published, source.

T2

Carillo et al., Differential sensitivity of FOS and JUN family members to calpains, Oncogene 9, 1679-1689 (1994)

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PTO 892 DEA/FCE 1994 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE NOTICE OF REFERENCES CITED	SERIAL NUMBER 08/737,953	Art Unit 1819	Attachment to Paper Number 10
APPLICANT(S) : Carillo et al			

U.S. PATENT DOCUMENTS							
*		DOCUMENT NUMBER	DATE	NAME(S)	CLASS	SUBCLASS	FILING DATE
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FOREIGN PATENT DOCUMENTS									
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	✓	92/21373	12/92	WO	Logothetou- Rella	---	---	---	---

*		OTHER REFERENCES (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
	✓	Y Emori et al (1988) J Biol Chem 263: 2364-2370
	✓	H Witschi et al (1989) Carcinogenesis 10: 2275-2277
	✓	W Troll et al (1984) JNCI 73: 1245-1250
	✓	M Ohkoshi (1980) Gann 71: 246-250

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* A copy of this reference is not being furnished with this office action.
(See Manual of Patent Examining Procedure, section 707.05 (a).)